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6 **UNITED STATES DISTRICT COURT**  
7 **DISTRICT OF NEVADA**

8 BRANDON HARRIS,

9 *Petitioner,*

10 vs.

11 BRIAN E. WILLIAMS,

12 *Respondents.*  
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2:15-cv-01087-JCM-NJK

ORDER

15 Petitioner or plaintiff has submitted a form motion for appointment of counsel (ECF No. 2), with  
16 no habeas petition or complaint of any kind, nor any filing fee or application to proceed *in forma*  
17 *pauperis*.

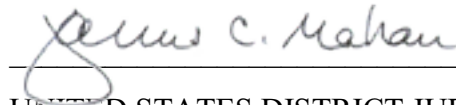
18 As petitioner has failed to submit a habeas petition, this matter has not been properly  
19 commenced. Accordingly, the present action will be dismissed without prejudice to the filing of a  
20 petition in a new action on the form required by LSR 3-1, with a pauper application on the proper form  
21 with all required attachments.

22 **IT IS THEREFORE ORDERED** that the motion for appointment of counsel (ECF No. 2) is  
23 **DENIED** as moot and that this action shall be **DISMISSED** without prejudice to the filing of a habeas  
24 petition, on the required form, in a new action with a properly completed pauper application.  
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1       **IT IS FURTHER ORDERED** that the clerk shall send petitioner two copies each of an  
2 application form to proceed *in forma pauperis* for incarcerated persons and a noncapital Section 2254  
3 habeas petition form, one copy of the instructions for each form, and a copy of the papers that he  
4 submitted in this action.

5       **IT IS FURTHER ORDERED** that the clerk of court shall enter judgment accordingly and  
6 close this case.

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9               Dated October 19, 2015.

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14                               UNITED STATES DISTRICT JUDGE  
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